

**PLANNING BOARD  
TOWN OF WILBRAHAM**  
240 Springfield Street  
Wilbraham, Massachusetts 01095

Jeffrey Smith, Chairman  
Adam Basch  
John McCloskey  
Tracey Plantier  
David Sanders  
James Moore, Associate



John Pearsall, Planning Director  
Heather Kmelius, Adm. Asst.

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**MINUTES OF THE WILBRAHAM PLANNING BOARD  
WEDNESDAY, MAY 11, 2016**

In attendance: Jeffrey Smith, Chairman  
John McCloskey  
Tracey Plantier  
David Sanders

Staff: John Pearsall, Planning Director  
Lance Trevallion, Building Inspector  
Heather Kmelius, Administrative Assistant

**Chairman Smith called the meeting to order at 6:33 PM and asked those assembled in the room to proudly join the Planning Board in the recitation of the Pledge of Allegiance.**

**1. Approval of Minutes**

Chairman Smith called for a motion to approve the minutes of February 24, 2016 and April 27, 2016 and asked if there were any comments or revisions.

**MOTION (PLANTIER, SANDERS): I move that the Board approve the minutes of the February 24, 2016 Planning Board meeting as submitted. Approved (4-0).**

**MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the minutes of the April 27, 2016 Planning Board meeting as submitted. Approved (4-0).**

**2. Citizens Open Forum**

No citizens took advantage of the open forum opportunity.

**3. Building Commissioner's Report**

Building Commissioner Lance Trevallion provided updates on various building development and zoning enforcement issues in town. There was an inquiry today regarding possible future development of a fitness facility at 176 Cottage Street. LPVEC is beginning interior renovations at 2045 Boston Road. The solar permit for 2720 Boston Road will be issued May 13, 2016. Solar permit applications continue to be submitted at an exceptional rate that is expected to continue into the next few years as the state has extended the solar incentive program through 2020.

4. **Miscellaneous Information**

David Sanders is registered to attend the PVPC Annual Meeting on June 9, 2016 and Tracey Plantier intends to attend the event also. The Planning Board is scheduled to meet June 1, 2016 and June 22, 2016 at 6:30 PM.

5. **Public Hearing**

**Proposed Zoning By-Law Amendment**

**Family Day Care Home Definition (Section 1.3)**

(Videotaped – WPA)

Chairman Smith opened the public hearing and read the legal notice into record. Ashley Walker and Deana Gore appeared before the Board to outline that Deb Gore, resident of 57 Bartlett Avenue, has petitioned an article to be heard at the Town Meeting requesting that the town by-law allowing six children in attendance at a home daycare be increased to ten children in order to be in compliance with Massachusetts licensing. She stated that there are eleven home daycare operations in town and five of them are licensed for ten children by the state, although each location's enrollment is unknown.

On December 11, 2015, Deb Gore's home daycare was issued Massachusetts licensure to increase its operation to ten children, despite the town's by-law restriction to six. Planning Director John Pearsall clarified that the state and town do not communicate regarding by-law compliance in relation to licensing. Zoning Enforcement Officer Lance Trevallion sent an enforcement letter to Mrs. Gore on April 1, 2016 as a result of an abutter's complaint stating that the daycare must return to caring for six children. On April 14, 2016, Mrs. Gore submitted a letter of intent to appeal the enforcement order. Mrs. Walker stated that the daycare will adhere to the Town Meeting vote decision in that if the article is voted down, the daycare will return to caring for six children. If the article is approved at Town Meeting, they will apply for a special permit to care for ten children with the ZBA.

Rhonda Lozinski of 53-55 Bartlett Avenue and the Paquette family of 59 Bartlett Avenue were present to voice their opposition to the abutting daycare operation at 57 Bartlett Avenue with six or ten children enrolled. Ms. Lozinski stated that the driveway easement located six feet from the foundation of her home that is used by the residents and daycare customers of 57 Bartlett Ave is overburdened and cost prohibitive to maintain. She stated that the negative impact on her property value and emotional distress of the situation are not suitable living conditions. Tim Paquette stated that daycare patrons have driven into his chain link fence due to excessive speed and carelessness. Ms. Lozinski has attempted to involve local police for assistance, however they do not have jurisdiction on private property.

Ms. Walker explained that the daycare has operated at 57 Bartlett Ave since 1970 and that the current owners of 53-55 Bartlett Ave rented the home for several years prior to purchasing it and therefore they were apprised of the daycare operation's existence, as well as apprised of the deeded right of way that has been in existence since 1896 that acts as the sole access way to 57 Bartlett Avenue and crosses the 53-55 Bartlett property directly.

Chairman Smith specified that the Planning Board is hearing this issue as a result of due process for the Town Meeting and stated the ZBA is the ultimate authority in granting home daycare permits and making decisions regarding such issues. The specific details regarding this daycare should be heard by the ZBA at a future public hearing contingent upon the Town Meeting vote results.

The public hearing was closed at 7:34 PM.

**MOTION (PLANTIER, SANDERS): I move that the Board report to the Annual Town Meeting with a recommendation supporting the proposed Zoning By-Law amendment. Approved (4-0).**

6. **Appointment – Cathy Hensley, Rooster Hollow**  
**Proposed Signage – Rice Fruit Farm, 757 Main Street**

Cathy Hensley submitted to the Planning Department office a proposed small addition to the existing free standing sign on the Rice Fruit Farm property located at 757 Main Street where she is operating Rooster Hollow, an antique and vintage accessory shop. The Board had no issues with the proposed signage.

**MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the proposed signage for Rooster Hollow at 757 Main Street. Approved (4-0).**

7. **Appointment – Anthony Carnevale**  
**Proposed Subdivision – Land of Samble Estate, 863 Glendale Road**

Board Member David Sanders recused himself because of potential conflict of interest concerns and left the room. Board Member John McCloskey offered a disclosure stating that historically he has recused himself from all of Anthony Carnevale's projects and developments, specifically the Willowbrook development. This was a result of a past discussion between Mr. Carnevale and Mr. McCloskey regarding a potential business relationship that never came to fruition. Mr. McCloskey called the Massachusetts State Ethics Board today and was advised, based on the situation description, that he could participate in future matters regarding Mr. Carnevale as there was no conflict of interest identified based on the relationship and its history. Mr. McCloskey, as a precautionary measure, is submitting a conflict of interest disclosure form to the Town Clerk.

Mr. Carnevale, the prospective purchaser of the Samble Estate property located at 863 Glendale Road, met with the Board to discuss preliminary plans for a possible seven lot subdivision of land. Mr. Carnevale and Pete Leveque, P.E. walked the fifty acre parcel which has significant wetland areas that will need to be delineated with the Conservation Commission. Mr. Carnevale stated there are no natural heritage areas identified on the property. The property has an old farmhouse and barn that will be salvaged if feasible. Mr. Carnevale intends to build the proposed homes himself in a similar style to the homes he recently constructed on Carla Lane and would like to request a waiver from the sidewalk requirement.

8. **New Special Permit Applications**

The Planning Board has scheduled public hearings on the following applications on the June 1, 2016 meeting:

- A. SP-02 Detached Garage – Valentine Residence, 212 Springfield Street
- B. SP-03 Detached Garage – Esteves Residence, 16 Iroquois Lane

The Board has two public hearings scheduled on June 1, 2016. Tracey Plantier discussed the possibility of having to recuse herself from the Esteves special permit application (SP-03) as she is a neighbor, although not a direct abutter. She will contact the Massachusetts State Ethics Board for confirmation. Discussion pursued about the Esteves hearing and other previous Indian Ridge Flexible Subdivision building envelope revision requests. Planning Director John Pearsall presented a report outlining the nine Indian Ridge revision requests and the historical action taken. The Board questioned the ability to build the proposed detached garage at 16 Iroquois Lane as it is positioned outside of the building envelope.

9. **Annual Town Meeting – May 16, 2016**

- A. Article 24 – Zoning By-Law Housekeeping Amendments
- B. Article 25 – Rezoning (R-26 to NO) 384 Main Street
- C. Article 26 – Rezoning (R-15 to GB) 4V Forest Street
- D. Article 27 – Acceptance of Public Ways
- E. Article 28 – Release of Storm Water Drainage Easements, 26 & 29 Carla Lane
- F. Article 55 – Zoning By-Law Family Day Care Home Petitioned Amendment

Discussion about Town Meeting presentation assignments took place.

10. **Planning Board Reports**

No reports at this time.

11. **Resignation of Planning Board Member – Adam Basch**

The Board shared its gratitude and appreciation for Adam Basch's service on the Planning Board. Mr. Basch offered great insight and knowledge making him a valued member of the Board.

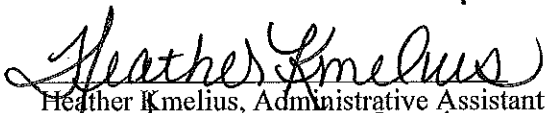
**MOTION (PLANTIER, SANDERS) I move that the Board accept with deepest regrets the resignation of Adam Basch effective May 31, 2016 and express on behalf of the entire community our sincere appreciation for his ten years of dedicated service as an elected member of the Planning Board. Approved (4-0).**

12. **Other Business – Reserved for Matters the Chair Did Not Reasonably Anticipate at the Time of Posting**

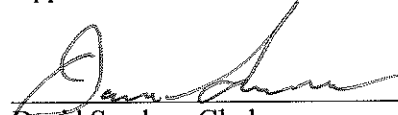
No matters were presented to the Board for review.

Having no further business, the meeting was adjourned by unanimous consent at 9:05 PM. The Board will reconvene at its next scheduled meeting on Wednesday, **June 1, 2016 at 6:30 PM** in the Selectmen's Meeting Room.

Submitted:

  
Heather Kmelius, Administrative Assistant  
Date: May 27, 2016

Approved As To Form And Content:

  
David Sanders, Clerk  
Date: 6/1/16